

IN RE: PETITION FOR VARIANCE
S/S Eastern Boulevard, 340' E of the
c/1 Emala Avenue
(2841 Eastern Boulevard)
15th Election District
5th Councilmanic District

Dannex, LLC
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-233-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Dannex, LLC, by Helmut Guenschel, General Manager, through their attorney, Howard L. Alderman, Jr. Esquire. The Petitioners seek relief from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 0 feet in lieu of the required 30 feet for an existing building and proposed addition thereto; from Sections 255.1 and 238.2 of the B.C.Z.R. to permit a side yard setback of 19 feet in lieu of the required 30 feet for the existing and proposed building; from Sections 255.1, 238.2 and 301.2 of the B.C.Z.R. to permit a roof eave to project 4.25 feet into the required side yard setback in lieu of the maximum allowed 4 feet, and a side yard setback of 14.75 feet in lieu of the required 22.5 feet; and, to amend the previously approved site plan and Order in prior Case No. 76-201-A accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Helmut Guenschel, General Manager for Dannex, LLC, owners of the subject property, Richard L. Smith, Professional Engineer with KCI Technologies, Inc., the engineering firm which prepared the site plan of this property, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

ORDER RECEIVED FOR FILING
Date 2/11/99
By [Signature]

Testimony and evidence offered revealed that the subject property is a flag-shaped lot, consisting of a gross area of 0.69 acres, more or less, predominantly zoned M.L.-I.M. (0.64 acres), with a small sliver of B.L. (0.05 acres) along the existing gravel driveway (or stem portion of the lot) which leads out from the property to Eastern Boulevard. The property was the subject of prior Case No. 76-201-A in which the prior owner was granted variance relief for the existing improvements which consists of two, one-story buildings that abut one another. As can be seen in photographs submitted at the hearing, it is apparent that these buildings have been vacant for some time. The Petitioners recently acquired the property and are desirous of utilizing same to expand its manufacturing operation located on an adjacent site. Dannex, LLC is engaged in the construction of cabinets and cases used by museums and similar institutions to display art and historic pieces. Most of its manufacturing operation actually occurs on the adjacent site, also owned by Mr. Guenschel. That site, which has frontage on Emala Avenue, features a large, one-story building used for office and manufacturing purposes.

As noted above, the Petitioners propose to expand their business operation onto the subject property. One of the existing buildings will be retained, and the older, dilapidated building will be removed and replaced with a new structure, as shown on Petitioner's Exhibit 1. Variance relief as outlined above is being requested for both the existing building and proposed improvements. As noted in the Petition, variance relief is requested to permit a rear yard setback of 0 feet for the existing building and small addition to be constructed thereto. Side yard setback relief is also requested for the existing footprint of the building to be razed, and the proposed new building to be constructed in its place. Finally, relief is requested to allow a reduced side yard setback and to permit an overhanging roof eave to project into the required side yard setback.

As noted above, there were no Protestants present at the hearing. Additionally, the Office of Planning issued a Zoning Plans Advisory Committee comment which supports the variance requests.

Based upon the testimony and evidence offered, all of which was undisputed, I am persuaded to grant the variance. In my judgment, the proposed expansion is an appropriate use

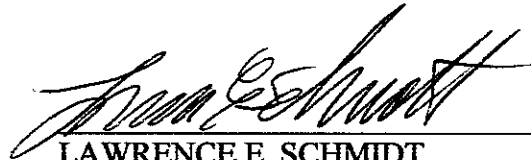
ORDER RECEIVED FOR FILING
Date 2/1/99
By [Signature]

and the unusual configuration and size of the property justifies the variances. In sum, I am persuaded that the Petitioners have met the requirements of Section 307 of the B.C.Z.R., and thus, the variances should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the Petition for Variance shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of February, 1999 that the Petition for Variance seeking relief from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 0 feet in lieu of the required 30 feet for an existing building and proposed addition thereto; from Sections 255.1 and 238.2 of the B.C.Z.R. to permit a side yard setback of 19 feet in lieu of the required 30 feet for the existing and proposed building; from Sections 255.1, 238.2 and 301.2 of the B.C.Z.R. to permit a roof eave to project 4.25 feet into the required side yard setback in lieu of the maximum allowed 4 feet, and a side yard setback of 14.75 feet in lieu of the required 22.5 feet; and, to amend the previously approved site plan and Order in prior Case No. 76-201-A, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER REQUIRED FOR FILING
Date 2/11/99
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

February 10, 1999

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
S/S Eastern Boulevard, 340' E of the c/l Emala Avenue
(2841 Eastern Boulevard)
15th Election District – 5th Councilmanic District
Dannex, LLC - Petitioners
Case No. 99-233-A

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Helmut Guenschel, General Manager, Dannex, LLC
10 Emala Avenue, Baltimore, Md. 21220

People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2841 Eastern Boulevard

which is presently zoned BL & ML-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHMENT A

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHMENT A

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

N/A

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr., Esquire

Name - Type or Print

Signature

Levin & Gann, P.A.

Company

305 W. Chesapeake Ave. Ste. 113 (410-321-0600)

Address

Telephone No.

Towson, MD

City State

21204 Zip Code

Legal Owner(s):

Dannex, LLC

Name - Type or Print

Signature

Helmut Guenschel, General Manager

Name - Type or Print

Signature

10 Emala Avenue

410-686-5900

Address

Telephone No.

Baltimore, Maryland 21220

City

State

Zip Code

Representative to be Contacted:

Howard L. Alderman, Jr., Esquire

Name

305 W. Chesapeake Ave. Ste. 113 (410) 321-0600

Address

Telephone No.

Towson, MD

City State

21204

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By Date

Case No. 99-233-A

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

By

Attachment 1

PETITION FOR VARIANCE

Case No.: 99-233-A

Address: 2841 Eastern Boulevard
Legal Owner: Dannex, LLC
Contract Purchaser: N/A
Present Zoning: BL (0.05 Ac. \pm) & ML-IM (0.64 Ac. \pm)

VARIANCE RELIEF:

- A variance from Baltimore County Zoning Regulations §§ 255.1 and 238.2 to allow a rear yard of 0' in lieu of the required 30' for existing building as well as a small addition thereto; and
- A variance from Baltimore County Zoning Regulations §§ 255.1 and 238.2 to allow a side yard of 19' in lieu of the 30' required for existing and proposed footprint of building; and
- A variance from Baltimore County Zoning Regulations §§ 255.1, 238.2 and 301.2 to allow a roof eave to project 4.25' into the required yard setback in lieu of the allowed 4' with ^{RDP} a 14.75' side yard setback in lieu of the 22 ½' allowed.
- And to amend the Order and approved plan in Zoning Case No.: 76-201-A.

JUSTIFICATION

- Irregularly shaped lot; and
- Pre-existing configuration of buildings on the subject property.

ORDER RECEIVED FOR FILING
DAG
2/1/00
[Signature]



DESCRIPTION
2841 EASTERN BOULEVARD

233

This description is for the purpose of accompanying the petition for yard variances.

BEGINNING for the same at a point on the south right-of-way line of Eastern Boulevard (100' wide), said point of beginning being 340' \pm west of the center line of Emala Avenue, thence (1) binding on the said south right-of-way line of eastern Boulevard north 71° 24' 54" west 10.28 feet to a point, thence leaving the right-of-way line of said road (2) south 05° 09' 30" west 402.61 feet to a point; thence (3) south 86° 04' 10" east 201.50' to a point; thence (4) north 05° 09' 30" east 134.39' to a point; thence (5) north 84° 50' 30" west 191.45' to a point; thence (6) north 05° 09' 30" east 261.51' to the point of beginning.

CONTAINING 30,134 square feet, more or less (0.69 acres \pm).



99-233-A

BALTIMORE COUNTY, MARY
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

ID

No. 062392

DATE

12/3/98

ACCOUNT

80016150

AMOUNT \$

250.00

RECEIVED
FROM:

Holmwood Business Assoc.

FOR:

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

12/03/1998 12/03/1998 10:20:01

RECEIVED CASHIER (MRS. FUL) DECEMBER

5 MISCELLANEOUS CASH RECEIPT

RECEIVED NO. 062392

18 NO. 062392

250.00 CASH

Baltimore County, Maryland

CASHIER'S VALIDATION

99-233-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 21540

DATE 9-24-06 ACCOUNT 001 006 6150.

AMOUNT \$ 50.00

RECEIVED
FROM:

Richard Smith

FOR:

2847 Eastern Blvd

06 1995 GLF.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS SETTING FOR BUD
9/29/2006 9:27 AM 061052 ?
REG NO. 021540
DEPT 5 SUBSISTING VERIFICATION
OR NO. 021540

Receipt Tot \$50.00
\$50.00 01 4.00 (3)
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case# #99-233-A
28411 Eastern Boulevard
306 Eastern Boulevard, 340' W of Enala Avenue
13th Election District - 4th Councilmanic District
Legal Owner(s): Dannek, LLC

Variance: to allow a rear yard of zero feet in lieu of the required 30 feet; to allow a side yard of 10 feet in lieu of the 30 feet required; to allow a roof eave to project 4.25 feet into the required yard setback in lieu of the allowed 4 feet with a 14.75-foot side yard setback in lieu of the 22.5 feet allowed; and to amend the order and approved plan in zoning case number 78-201-A.
Hearing: Tuesday, January 12, 1999 at 9:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT,

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3881.

12/23 Dec. 24

C280838

TOWSON, MD., 12/23/1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/23/1998.

THE JEFFERSONIAN,

A. H. Amickson

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

RE Case No. 99-233-A

Petitioner/Developer ALDERMAN, ETAL
% LEVIN & GANN (R. PORTER)

Date of Hearing/Closing 1/12/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #7841 EASTERN BLVD.
@ 300't W. of EMALA AVE.

The sign(s) were posted on 12/28/98
(Month, Day, Year)

Sincerely,

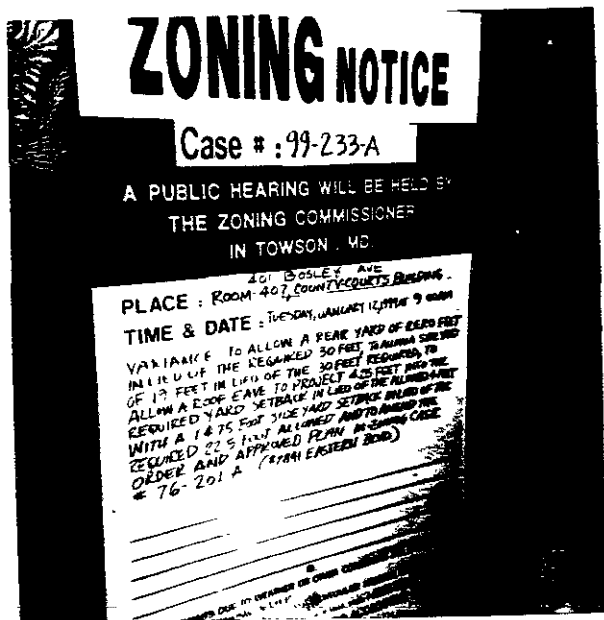
Patrick M O'Keefe 1/4/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



RE: PETITION FOR VARIANCE
2841 Eastern Boulevard, S/S Eastern Blvd,
340' W of Emala Ave, 15th Election District,
5th Councilmanic

Legal Owners: Dammex, LLC

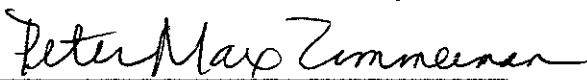
Petitioner(s)


* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-233-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of December, 1998, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 14, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-233-A
2841 Eastern Boulevard
S/S Eastern Boulevard, 340' W of Emala Avenue
15th Election District – 5th Councilmanic District
Legal Owner: Dannex, LLC

Variance to allow a rear yard of zero feet in lieu of the required 30 feet; to allow a side yard of 19 feet in lieu of the 30 feet required; to allow a roof eave to project 4.25 feet into the required yard setback in lieu of the allowed 4 feet with a 14.75-foot side yard setback in lieu of the 22.5 feet allowed; and to amend the order and approved plan in zoning case number 76-201-A.

HEARING: Tuesday, January 12, 1999 at 9:00 a.m. in Room 407, County Courts
Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a small mark below it.

Arnold Jablon, Director

c: Howard L. Alderman, Jr., Esquire
Dannex, LLC

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 28, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
December 24, 1998 Issue – Jeffersonian

Please forward billing to:

Howard L. Alderman, Jr., Esquire 410-321-0600
305 West Chesapeake Avenue
Suite 113
Towson, MD 21204

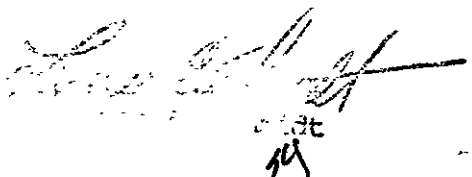
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CASE NUMBER: 99-233-A
2841 Eastern Boulevard
S/S Eastern Boulevard, 340' W of Emala Avenue
15th Election District – 5th Councilmanic District
Legal Owner: Dannex, LLC

Variance to allow a rear yard of zero feet in lieu of the required 30 feet; to allow a side yard of 19 feet in lieu of the 30 feet required; to allow a roof eave to project 4.25 feet into the required yard setback in lieu of the allowed 4 feet with a 14.75-foot side yard setback in lieu of the 22.5 feet allowed; and to amend the order and approved plan in zoning case number 76-201-A.

HEARING: Tuesday, January 12, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-233-A

Petitioner: Dannex, LLC

Address or Location: 2841 Eastern Boulevard

PLEASE FORWARD ADVERTISING BILL TO:

Name: Howard L. Alderman, Jr., Esquire

Address: 305 West Chesapeake Avenue - Suite 113
Towson, Maryland 21204

Telephone Number: 410-321-0600



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 7, 1999

Howard L. Alderman, Jr., Esq.
Levin & Gann, P.A.
305 W. Chesapeake Avenue, Suite 113
Towson, MD 21204

RE: Item No.: 233
Case No.: 99-233-A
Location: 2841 Eastern Boulevard

Dear Mr. Alderman:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on December 3, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us

les
1/12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: December 17, 1998

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 2841 Eastern Boulevard

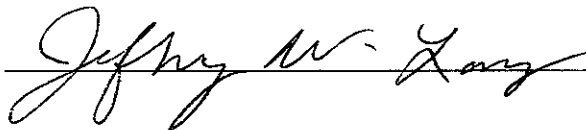
INFORMATION:

Item Number: 233
Petitioner: Dannex, LLC
Property Size: 0.69± acres
Zoning: BL & ML-IM
Requested Action: Variance
Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to allow a variance to allow a 0 (zero) foot rear yard setback in lieu of the required 30 feet and to allow a sideyard setback of 19 feet in lieu of the required 30 feet.

Section Chief:



AFK:KB:lsn

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: 12/23/92

FROM: R. Bruce Seeley, Project Manager *ABS/JP*
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:


Item #'s: 222 231
223
225
226
227
228
232
233
234

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: December 24, 1998

FROM:  Robert W. Bowling, Supervisor
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for December 23, 1998
Item Nos. 222, 223, 224, 225, 226,
227, 228, 229, 231, 232, 233, 234,
and 235

AND

Revised Petitions and Plats for
Case #99-159-XA (8101 Bellona Avenue)

The Bureau of Developer's Plans Review has reviewed the subject zoning items and revised petitions and plats, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE1223.NOC



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

December 11, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: DANNEK, LLC

Location: DISTRIBUTION MEETING OF December 14, 1998

Item No.: 233 Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. HERB TAYLOR
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: December 14, 1998

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 233
MD 150
2841 Eastern Ave.
Mile Post 7.25

Dear Ms. Stephens:

This office has reviewed the referenced Special Exception and have no objection to approval.

However we will require the owner to obtain an access permit. Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

99-233-A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

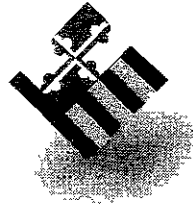
Howard L. Alderman Jr Esq
" "

305 W. Chesapeake Ave #113
Towson, MD 21204

Helmut Gwenschel
Richard L Smith

21 Sparrow Hill Ct. BgH. 21228
KCI TECHNOLOGIES, INC.
10 NORTH PARK DRIVE
HUNT VALLEY, MD. 21093





BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
October 4, 2006

Richard L. Smith
KCI Technologies
10 North Park Drive
Hunt Valley, MD 21030

RE: Spirit and Intent Letter
Hearing Case Number 99-233-A
2841 Eastern Boulevard
15th Election District


Dear Mr. Smith,

Your letter to Carl Richards, Zoning Supervisor of Permits and Development Management, has been referred to me for reply.

Upon consideration of the information provided therein and pursuant to discussions with the Zoning Commissioner for Baltimore County, the following has been determined.

The proposed red lined version of the zoning plat to construct a new building on the property utilizing the setback variances previously granted for the existing building to be removed and the existing building that was originally intended to be retained does meet the spirit and intent of the Baltimore County Zoning Regulations.

Sincerely,


Jan R. Fernando
Planner II
Zoning Review

JF:amf



File

10 North Park Drive
Hunt Valley, MD 21030-1846
(410) 316-7800

Direct Dial Number

December 7, 1998

(410) 316-7855

Mr. John Lewis
Baltimore County Office of Zoning
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

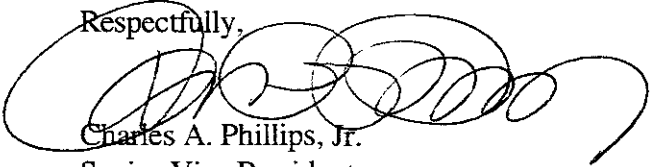
Dear Mr. Lewis,

RE: 2841 Eastern Boulevard
Zoning Case No. 99-233A
KCI Job No. 01-96158A

In response to your request KCI has reviewed the Flood Insurance Rate Map (FIRM) for the area of the subject site. FIRM Map No. 240010-0435 B dated March 2, 1983 shows that the site is in Flood Zone "C" (area of minimal flooding). That is, it is not in a 100 year flood plain.

Should you have any questions concerning this matter please contact Richard L. Smith, of this office, or the writer at the above number.

Respectfully,

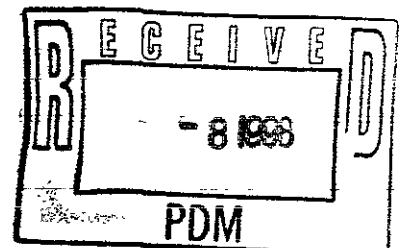

Charles A. Phillips, Jr.
Senior Vice President
Director, Site Engineering and Surveys

cc: Mr. Robert Porter, Levin & Gann
Mr. Jack Wharton, Niles, Barton & Wilmer

/nes

99-233-A

KCI TECHNOLOGIES, INC.
ENGINEERS and PLANNERS





ROUTIN 99-233-A

10 North Park Drive
Hunt Valley, MD 21030-1846
(410) 316-7800

Direct Dial Number

December 11, 1998

(410) 316-7855

Mr. John Lewis
Baltimore County Office of Zoning
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Lewis,

**RE: 2841 Eastern Boulevard
Zoning Case No. 99-233A
KCI Job No. 01-96158A**

In response to your request KCI has reviewed the Flood Insurance Rate Map (FIRM) for the area of the subject site. FIRM Map No. 240010-0435 B dated March 2, 1983 shows that the site is in Flood Zone "C" (area of minimal flooding). That is, it is not in a 100 year flood plain.

Additionally, we are enclosing a portion of Baltimore County Topographic Map NE 4-J on which we have outlined in "Red" the subject property.

Should you have any questions concerning this matter please contact Richard L. Smith, of this office, or the writer at the above number.

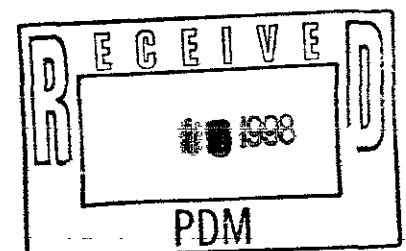
Respectfully,

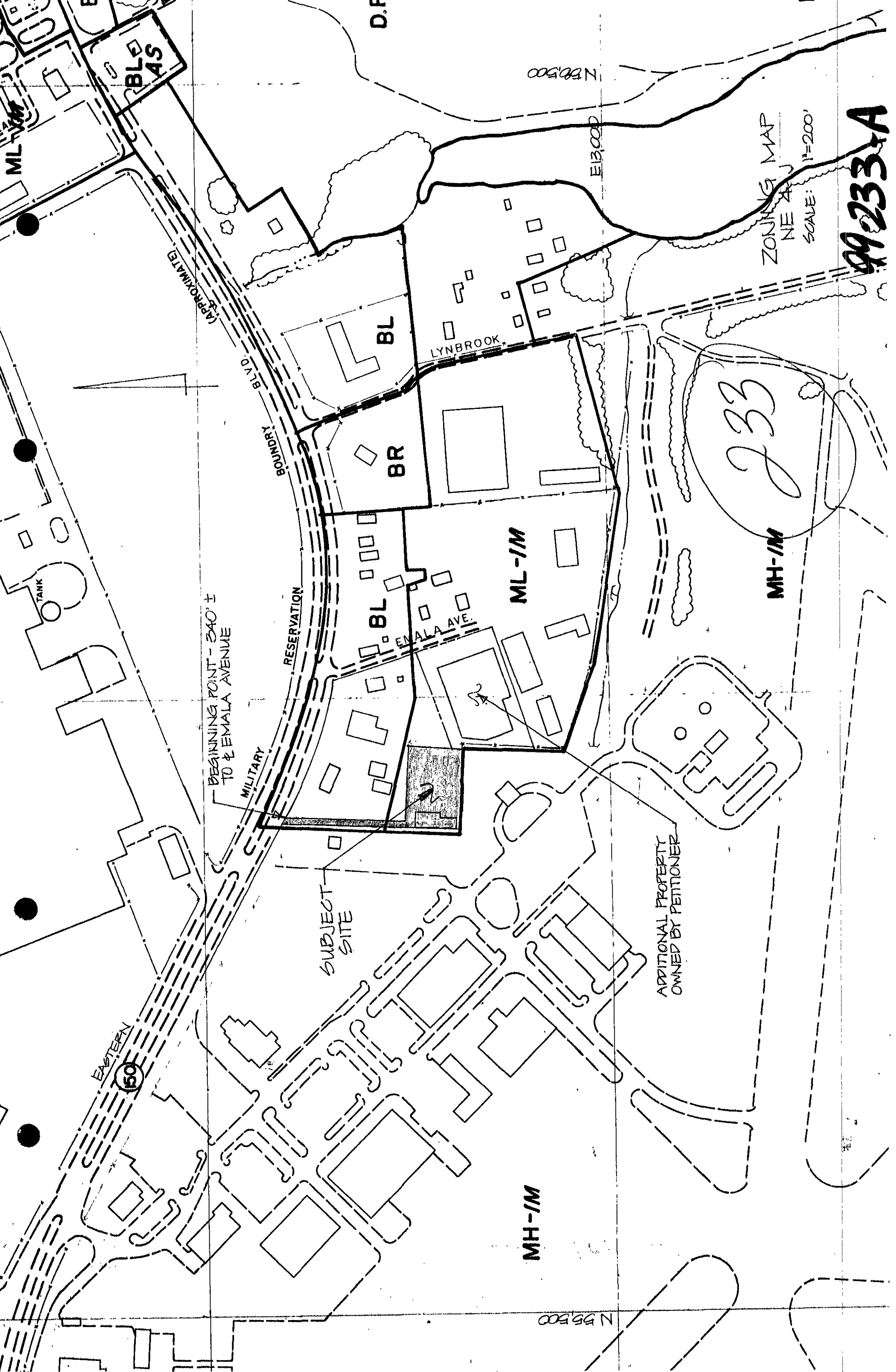
A large, stylized handwritten signature in black ink, appearing to read "Charles A. Phillips, Jr.".

Charles A. Phillips, Jr.
Senior Vice President
Director, Site Engineering and Surveys

cc: Mr. Robert Porter, Levin & Gann
Mr. Jack Wharton, Niles, Barton & Wilmer

/nes





ZONING MAP
NE 4th
SCALE: 1"=200'

99-233-A

233

MH-1M

ML-1M

BL

BR

BL

MH-1M

SUBJECT
SITE

ADDITIONAL PROPERTY
OWNED BY PETITIONER

BEGINNING POINT - 340' ±
TO 4 EMALA AVENUE

MILITARY

RESERVATION

BOUNDRY BLVD

LYNBROOK

EMALA AVE.

BL
AS

EASTERN
150

(APPROXIMATE)



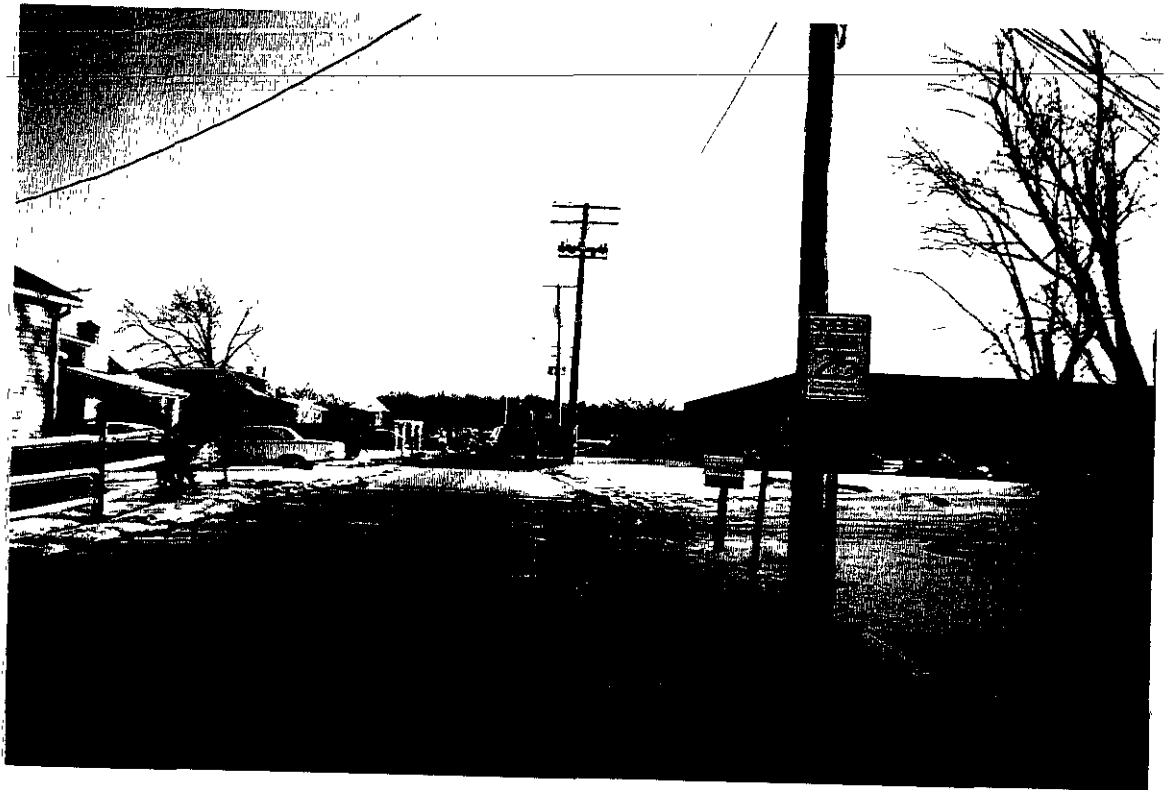
Pittman's

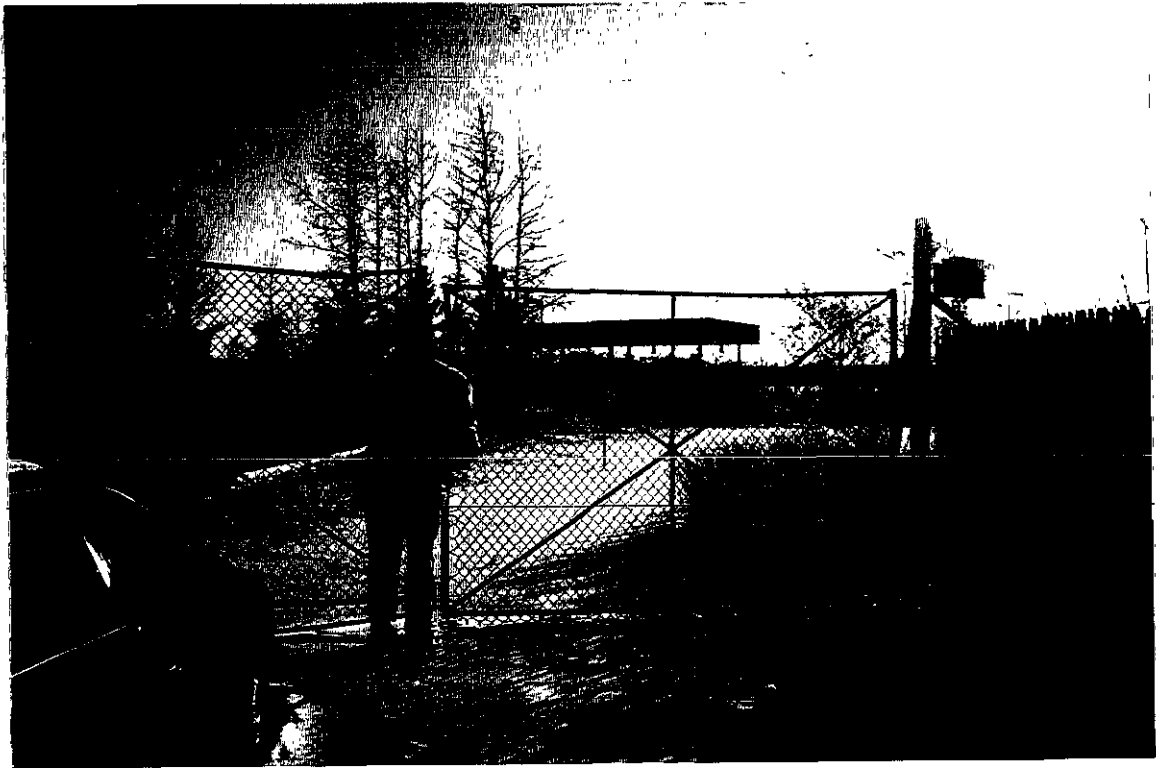
Admiral

4A - 4K

photograph

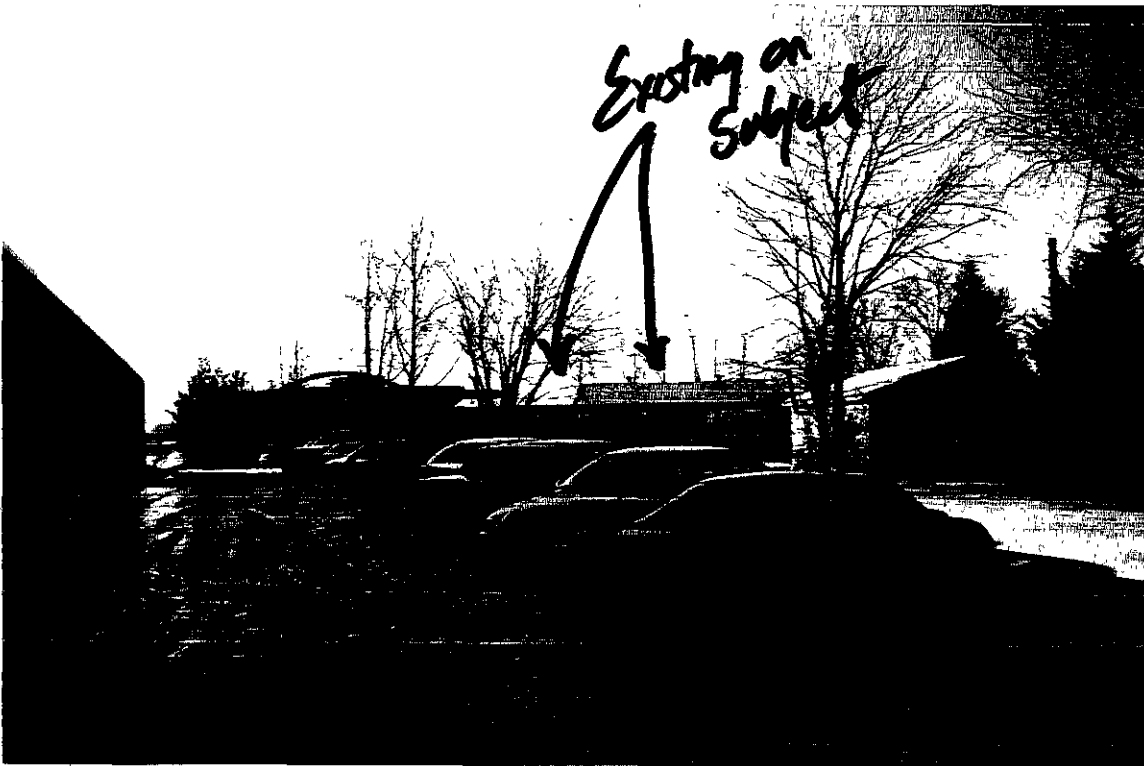
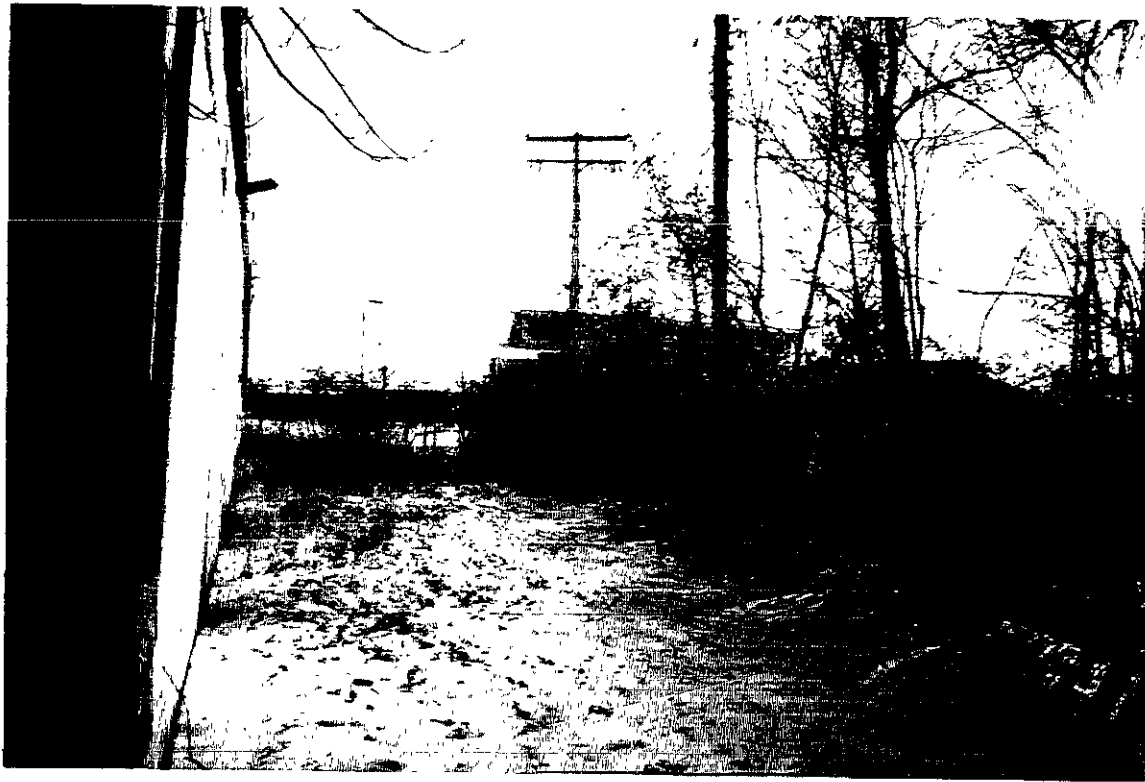
19-233-A









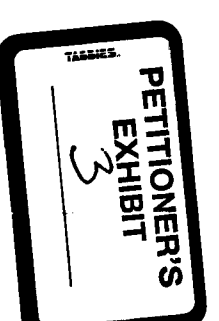






PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP



SCALE		LOCATION		SHEET
1" = 200' ±		GLENN L. MARTIN CO.		N.E.
DATE		AIRPORT		4-J
PHOTOGRAPHY				
JANUARY				
1986				

DATE	REVISIONS

ZONING ORDER
PETITION NO. 76-201-A

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County that the proposed Variance be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, Department of Public Works and the Office of Planning and Zoning.

Sigurd, George J. Marink
Deputy Zoning Commissioner of Baltimore County

- VARIANCES REQUESTED**
- PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 235.1 & 238.2 OF THE BCZR TO ALLOW A REAR YARD OF 0' INSTEAD OF THE REQUIRED 30' A VARIANCE OF 30'.
 - PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 235.1 & 238.2 OF THE BCZR TO ALLOW A SIDE YARD OF 19' INSTEAD OF THE REQUIRED 30' A VARIANCE OF 30'.
 - PETITIONER IS REQUESTING A VARIANCE TO SECTION 301.3 OF THE BCZR TO ALLOW A ROOF EAVE TO PROJECT 4.25' INTO THE REQUIRED YARD SETBACK INSTEAD OF THE ALLOWED 4' A VARIANCE OF 0.25'.

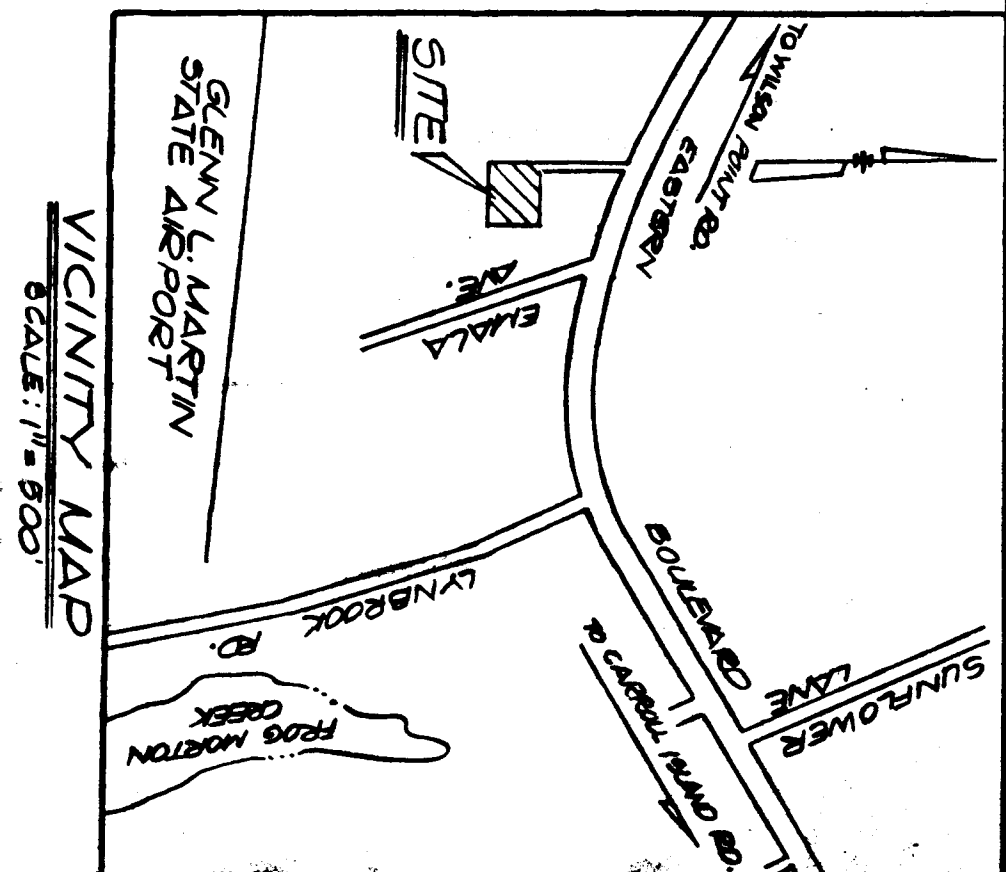
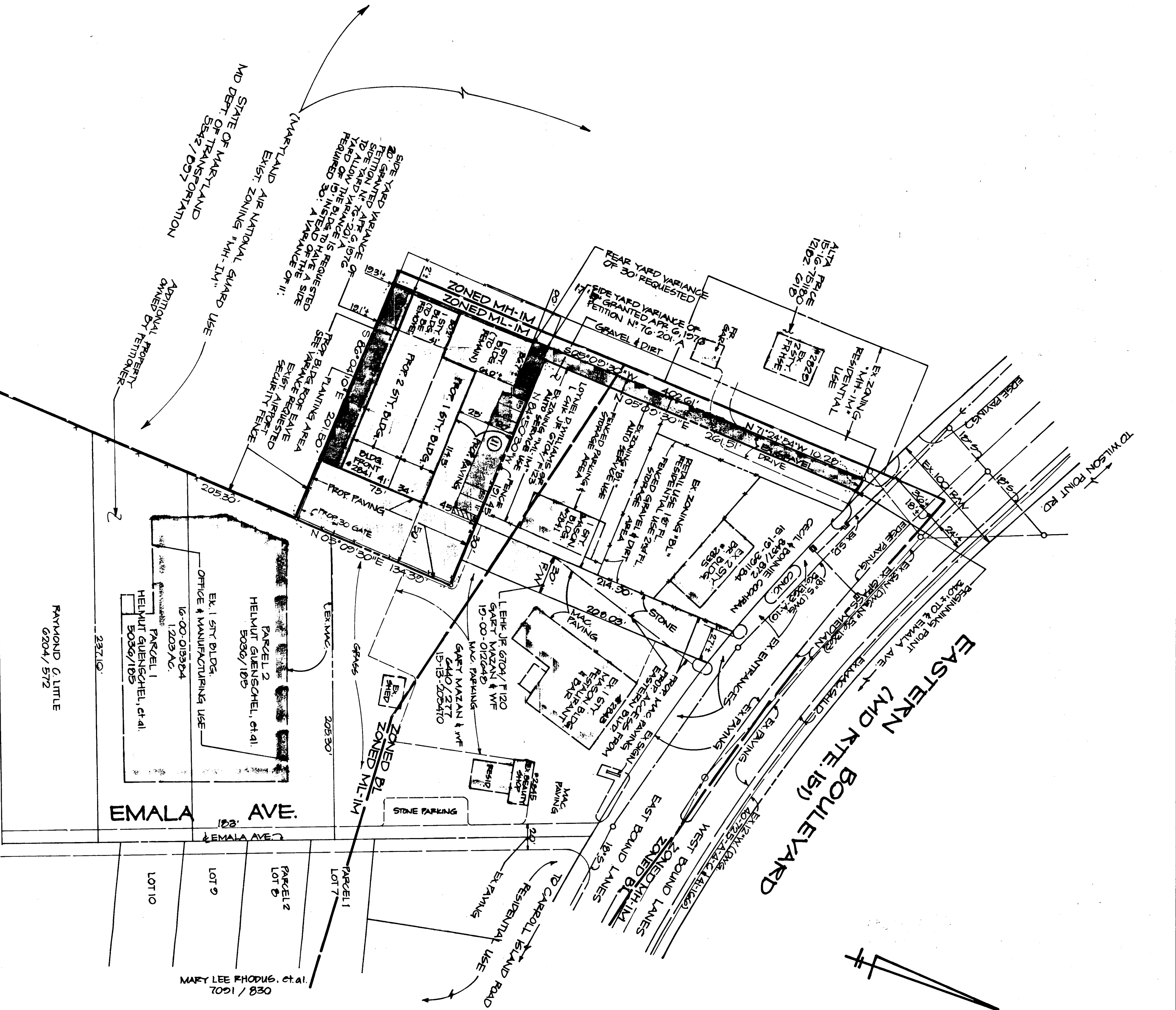
- SITE DATA**
1. ELECTION DISTRICT NO. 15
 2. CONGRESSIONAL DISTRICT NO. 15
 3. CENSUS TRACT - 4816
 4. DEED REFERENCE - 1978/656
 5. ACCOUNT NO. 22 00 076666

DESIGN BY: ELC	SCALE: 1"=50'	DATE: NOV. 1992	SHEET NUMBER: 1	JOB NUMBER: 01-2452-A
CHECKED BY: KLE				

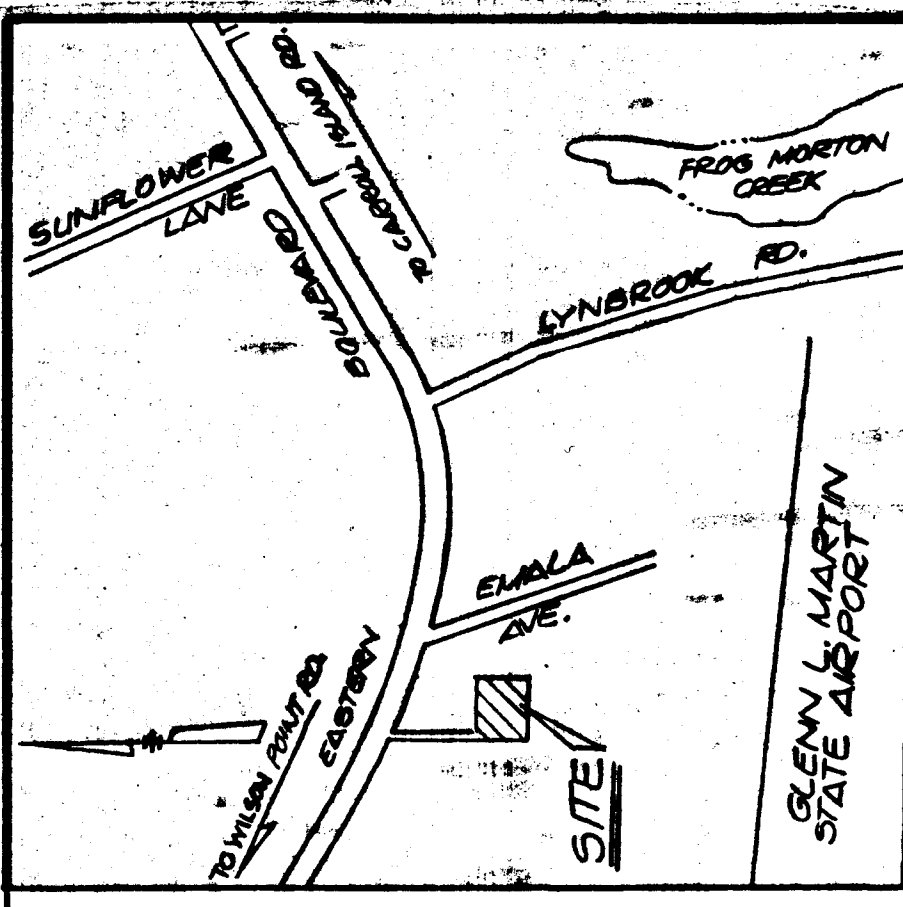
2841 EASTERN BOULEVARD

KCI
ENGINEERS • PLANNERS • SURVEYORS
10 NORTH PARK DRIVE
BOWTIE, MARYLAND 21038 (410) 366-7400

OWNER/DEVELOPER
DANNEK, LLC
C/O HELMUT GUENSCHHEL
10 EMALA AVENUE
BALTIMORE, MD 21220
410-686-5900



- GENERAL NOTES**
1. AREA OF SITE = 30,134 SQ. FT. +/- (0.69 AC. +/-)
 2. EXISTING ZONING OF THE SITE "BL" (0.05 AC. +/-) AND "ML-1M" (0.64 AC. +/-)
 3. EXISTING ZONING OF THE "ABANDONED BUILDINGS" (0.05 AC. +/-)
 4. PROPOSED USE OF THE SITE OFFICE AND MANUFACTURING USE
 5. OFF-STREET PARKING:
A. PROPOSED OFFICE AREA = 1800 SQ. FT. REQUIRED 59 SPACES (3.3/1000 S.F.)
B. PROPOSED MANUFACTURING AND STORAGE AREAS = 16,073 SQ. FT. WITH 5 SPACES REQUIRED (3.3/1000 S.F.)
C. TOTAL SPACES REQUIRED = 109 SPACES = 11 SPACES (INCLUDES 1 H.C. SPACE)
D. TOTAL SPACES PROPOSED = 11 SPACES
 6. FLOOR AREA RATIO:
A. ALLOWED FLOOR AREA IN THE "ML-1M" ZONE = 32,728 SQ. FT. (10.872 S.F.)
B. PROPOSED FLOOR AREA IN THE "ML-1M" ZONE = 18,530 SQ. FT. = 0.67 (18,530 / 27,659)
 7. AMENITY OPEN SPACE: (SHAVED AREA)
A. REQUIRED: NONE
B. PROPOSED: 3634 SQ. FT. +/-
 8. PUBLIC UTILITIES EXIST IN EASTERN BOULEVARD. SITE IS LOCATED WITHIN THE "PROG MORIAR" SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA (SEE MAP NO. 9)
 9. SITE SIGNAGE WILL CONFORM WITH SECTION 450 OF THE BCZR.
 10. THERE IS ONE PREVIOUS ZONING CASE ON FILE RELATIVE TO THIS SITE (PETITION NO. 76-201-A) SEE ZONING ORDER NO. 76-201-A FOR MORE DETAILS. SITE ACCESS WILL BE BY THE 30' RIGHT OF WAY WHICH IS "USE IN COMMON" WITH ADJACENT PROPERTY OWNERS.
 - 11.
 - 12.
 - 13.

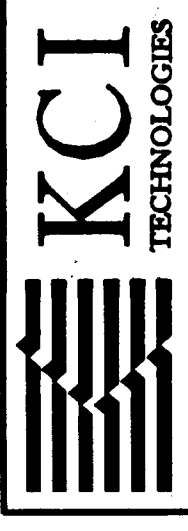


VICINITY MAP
SCALE: 1" = 100'

GENERAL NOTES

- AREA OF SITE = 30,134 SQ. FT. +/- (0.69 AC. +/-)
- EXISTING ZONING OF THE SITE "BL" (0.05 AC. +/-)
- EXISTING USE OF SITE "ABANDONED BUILDINGS"
- PROPOSED USE OF THE SITE "OFFICE AND MANUFACTURING"
- OFF-STREET PARKING:
 - A. PROPOSED OFFICE AREA = 1800 SQ. FT.
 - B. PROPOSED MANUFACTURING AREA = 1800 SQ. FT.
 - C. PROPOSED TOTAL SPACES = 10 SPACES
- FLOOR AREA RATIO:
 - A. ALLOWED FLOOR AREA IN THE "ML-IN" ZONE = 55,278 SQ. FT. (2.0 X 27,639 S.F.)
 - B. PROPOSED FLOOR AREA IN THE "ML-IN" ZONE = 18,530 SQ. FT. = 0.67 (18,530 / 27,639)
 - C. AMENITY OPEN SPACE (SHADED AREA)
 - D. REQUIRED: NONE
- PROPOSED: 364 SQ. FT. +/-
- PUBLIC UTILITIES EXIST IN EASTERN BOULEVARD. SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA (SEE MAP NO. 91)
- CRITICAL AREA (SEE MAP NO. 91)
- STREET SIGNAGE WILL CONFORM WITH SECTION 450 OF THE BCZR.
- THERE IS ONE PREVIOUS ZONING CASE ON FILE RELATIVE TO THIS SITE (PETITION NO. 76-201A) SEE ZONING ORDER THIS PLAN.
- SITE ACCESS WILL BE BY THE 30' RIGHT OF WAY WHICH IS "USE IN COMMON" WITH ADJACENT PROPERTY OWNERS.

OWNER/DEVELOPER
DANNEX, LLC
C/O HELMUT GUENSCHHEL
10 EMALA AVENUE
BALTIMORE, MD 21220
410-686-5900

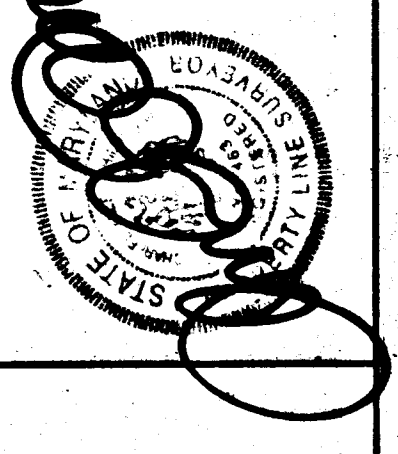


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ENGINEERS • PLANNERS • SURVEYORS
10 NORTH PARK DRIVE
HUNT VALLEY, MARYLAND 21096 (410) 346-7000

PLAT TO ACCOMPANY
PETITION FOR VARIANCES
2841 EASTERN BOULEVARD

99-233-A

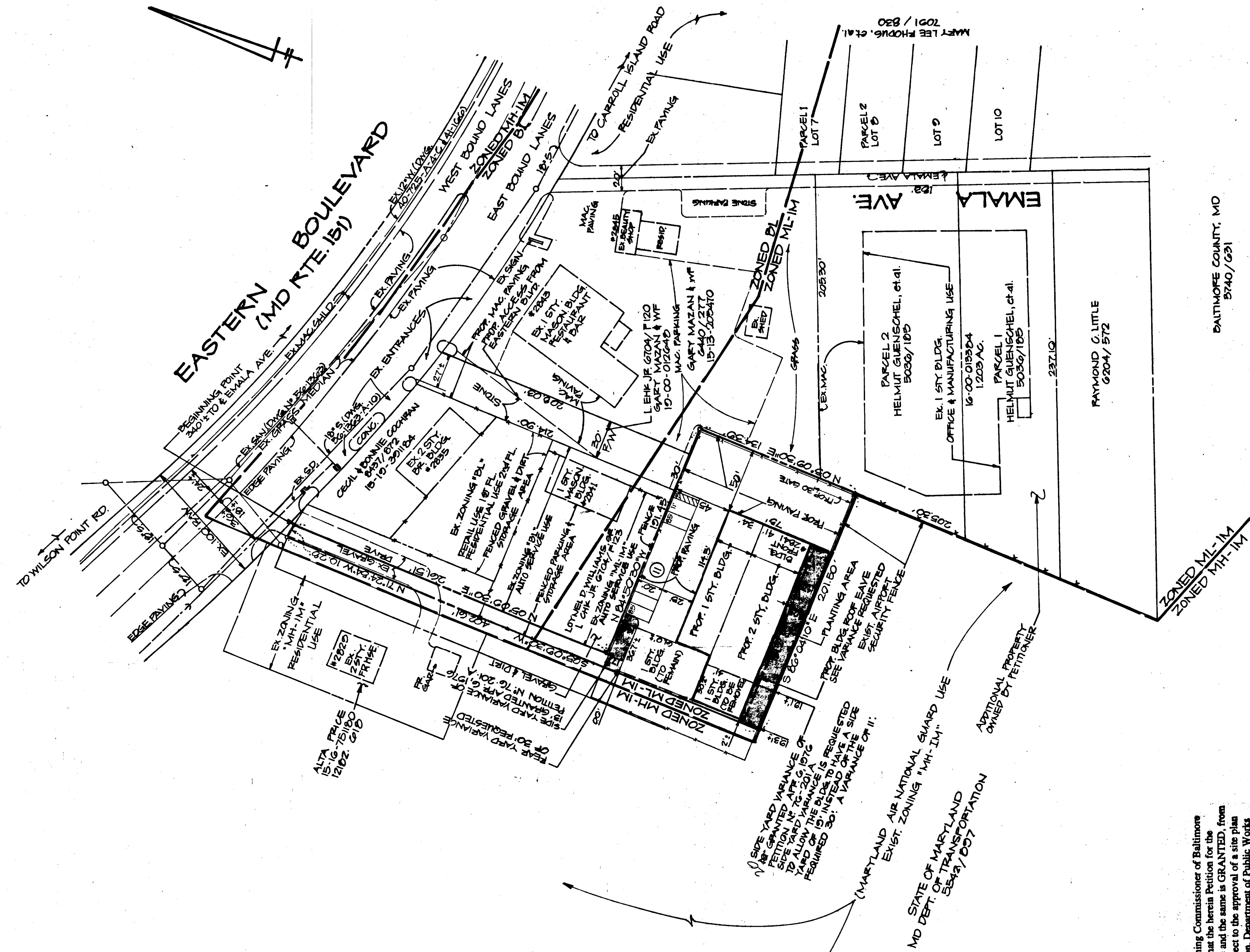
DESIGN BY: ELS	SCALE: 1" = 50'	DATE: NOV. 1998	SHEET NUMBER: 1	JOB NUMBER: 99-233-A
DRAWN BY: ELS				
CHECKED BY: ELS				



- SITE DATA
- ELECTION DISTRICT NO. 13
 - COUNCILMANIC DISTRICT NO. 15
 - CENSUS TRACT - 4516
 - DEED REFERENCE: 110781 G56
 - ACCOUNT NO. 22-00-007689

VARIANCES REQUESTED

- PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 235.1 & 235.2 OF THE BCZR TO ALLOW A REAR YARD OF 7' INSTEAD OF THE REQUIRED 30'. A VARIANCE OF 30'.
- PETITIONER IS REQUESTING A VARIANCE TO SECTIONS 235.1 & 235.2 OF THE BCZR TO ALLOW A SIDE YARD OF 19' INSTEAD OF THE REQUIRED 30'. A VARIANCE OF 11'.
- PETITIONER IS REQUESTING A VARIANCE TO SECTION 301.2 OF THE BCZR TO ALLOW A ROOF EAVE TO PROJECT 4.23' INTO THE REQUIRED YARD SETBACK INSTEAD OF THE ALLOWED 4'. A VARIANCE OF 0.23'.



ZONING ORDER
PETITION NO. 76-201A

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County that the Petition for Variance filed by the Petitioner on April 1, 1998, and the Petition for Variance filed by the Petitioner on April 1, 1998, be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, Department of Public Works and the State of Planning and Zoning.

Signed: George J. Martink
Deputy Zoning Commissioner of Baltimore County

DATE	REVISIONS

